



PATENT  
Docket No. P-9527.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Victor D. Dolecek et al.

Serial No.: 09/833,233  
Filed: April 9, 2001

For: BLOOD CENTRIFUGE HAVING  
CLAMSHELL BLOOD RESERVOIR  
HOLDER WITH INDEX LINE

Group Art Unit: 1723

Examiner: Joseph W. Drodge

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(b)

Dear Sir:

Petitioner, Medtronic, Inc., a corporation of the State of Minnesota having a place of business at 710 Medtronic Parkway, Minneapolis, Minnesota, hereby represents that it is the exclusive owner of the entire interest in the above-identified Application, by virtue of an assignment recorded at R/012250 F/0475 on 10-09-2001. Petitioner further represents that it is the exclusive owner of the entire interest in U.S. Patent No. 6,596,181; by virtue of an assignment recorded at R/012386 F/0378 on 12-19-2001.

Petitioner hereby disclaims the terminal part of any patent granted on the above-identified Application which would extend beyond the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the above-identified patent, not shortened by terminal disclaimer. Petitioner hereby agrees that any patent granted on the above-identified Application shall be enforceable only for and during such period that the legal title to such patent and U.S. Patent No. 6,596,181 are commonly owned. This agreement is to run with any patent granted on the above-identified Application and to be binding upon the grantee, its successor, or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the above-identified Application prior to the expiration date of the full statutory term, not shortened by terminal disclaimer, of U.S. Patent No. 6,596,181 if any or all of

such patent (1) expires for failure to pay a maintenance fee; (2) is held unenforceable or is found invalid by a court of competent jurisdiction; (3) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321; (4) has all claims canceled by a reexamination certificate; (5) is reissued; or (6) is otherwise terminated prior to the expiration of its full statutory term.

The undersigned (whose title is supplied below) is empowered to act on behalf of Petitioner.

Documents establishing the chain of title of the subject patent application (including the aforementioned assignment and a notice from the Patent and Trademark Office noting its recording location) have been reviewed and I certify that, to the best of my knowledge and belief, title is in Petitioner.

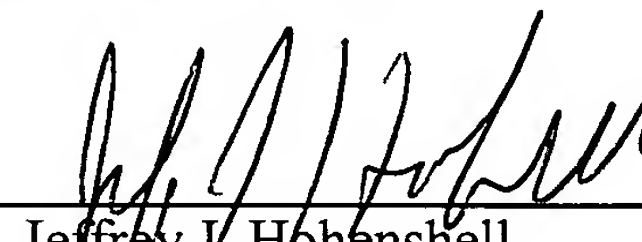
I hereby declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

Please charge \$110.00 to Deposit Account No. 132546 for the fee required by 37 C.F.R. 1.20(d). Please charge any additional required fees or credit any overpayment to Deposit Account No. 132546.

Registration Number 34,109	Telephone Number 763-391-9661
Date August 23, 2004	

Respectfully submitted,

By

  
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Jeffrey J. Hohenshell  
Senior Patent Counsel